Child Labor in Agriculture

It has been estimated that hundreds of thousands of children under the age of 18 work in farms picking the fruits and vegetables that support the multi-billion dollar agricultural industry in the United States. Before the age of 18 these children and teens work long hours, under very dangerous conditions, receiving very little pay, while migrating alongside their parents for months at a time. This factsheet is a compilation of the latest data available regarding underage farmworkers.

Child Labor Overview

- The International Labour Organization (ILO) defines child labor as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. This refers to work that: is mentally, physically, socially or morally dangerous and harmful to children; and interferes with their schooling by depriving them of the opportunity to attend school; obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work.

- The ILO current reports note that there are 215 million children worldwide engaged in child labor.

- Of those, 115 million engage in hazardous work conditions which is defined by the International Labor Organization as work that may include night work and long hours of work, exposure to physical, psychological or sexual abuse; work underground, under water, at dangerous heights or in confined spaces; work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads; and work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health.

- The following data is available regarding minors in hazardous working conditions:
  - 74,019 boys and 41,296 girls
  - 25,949 are between 5 and 11 years
  - 26,949 are between 12 and 14 years
  - 62,419 are between 15 and 17 years.

- On a global scale, children between the ages of 7 and 14 and who live in a rural setting are less likely to attend school and more likely to work.

- Regarding the type of employment that children are working in, 5 percent are self-employed, 6 percent are undefined, 21.4 percent are paid employees and a large majority (67.5%) is unpaid family members.
Children in Agriculture

- Sixty (60) percent of all child laborers worldwide between the ages of 5 and 17 work in agriculture. This means that over 129 million children worldwide work in farming, fishing, aquaculture, forestry and livestock. Children are known to work in agriculture at younger than average ages, sometimes between 5 and 7, when compared to other sectors.

- Child farmworkers often fall under three types of cases:
  - Those who work on their parents’ farm
  - Those who work on local farms part-time or during the summer to earn extra money.
  - Those who feel compelled to work out of economic necessity, often migrating alone or with their families from farm to farm.

- Although it is difficult to count the number of adult and underage individuals working in agriculture in the United States, several sources do offer some estimates.
  - A Human Rights Watch publication in 2000, *Fingers to the Bone*, estimated that between 300,000 and 800,000 minors were employed in agriculture.
  - Results of the 2001 National Agriculture Workers Survey (NAWS) indicate that 6 percent of the farmworkers surveyed were between the ages of 14 and 17.
  - Results of the 2009 NAWS indicate that 3 percent of those farmworkers surveyed were between the ages of 14 and 17.

- Agricultural workers under the age of 18 are likely found in larger numbers in those states that have the highest number of adult farmworkers. These states are California, Florida, North Carolina, Texas, Oregon, and Washington State.

- There is no official data for children under the age of 12 working in the fields but during field visits from 2003 to 2005, the Association of Farmworker Opportunities Program (AFOP) observed children under 12 working in the fields. They also report that many children work “off the books” by using their parents’ social security numbers, suggesting that the total of child farmworkers may be closer to 500,000.

- A 2010 Human Rights Watch study revealed children in the United States working in agriculture as early as age 7, 8 or 9 for a few hours at a time, and by ages 11 or 12, they were out of school and working full time.

Risks and Effects

- The nature of agricultural work exposes child laborers to many risks and dangers, many attributed to the following types of work or conditions:
  - Working with heavy machinery, equipment and tools such as knives, chainsaws, tall ladders, and tractors or trucks;
  - Repetitive motion injuries that result from bending at the waist, kneeling, reaching and holding ergonomically awkward positions; and
  - Pressure to work fast without breaks and despite injury.

- The United States Department of Agriculture released a report in 2009 that recorded 15,876 injuries to youths under 20 years of age who lived, worked or visited a farm. The following data for 2009 was also noted:
  - 58 percent of injuries were incurred by males;
  - Youth ages 10 to 15 incurred the highest number of injuries at 6,912;
• Youths under age 10 incurred 4,111 injuries; and
• Youths ages 16 to 19 incurred 4,148 injuries.  

• In 2009, youth living on livestock operations had a higher rate of injury (8.1 injuries/1,000 youth) compared to their counterparts on crop operations (6.6 injuries/1,000 youth). 

• Agriculture has the second highest fatality rate among youth workers at 21.3 per 100,000 full-time equivalents compared to 3.6 per 100,000 across all industries.

Heat and Sun
• For agricultural workers, heat stress and illness continues to be a threatening occupational hazard.
• In a study conducted by Human Rights Watch in 2010, many children said that their employers did not provide drinking water. The lack of drinking water is especially problematic when considering the risks of dehydration and heat illness. These same children reported that they have either experienced or witnessed thirst, dehydration, dizziness, and/or fainting.
• Excessive heat exposure can lead to death.
• From 1992 to 2006, 423 agricultural workers were reported to have died from exposure to environmental heat.

Musculoskeletal Injuries
• Farm work is characterized by constant bending, twisting, carrying heavy items, and repetitive motions during long work hours, all of which contribute to musculoskeletal injuries.
• The Human Rights Watch reported children saying that due to repetitive motion and lifting heavy weights on the job five to seven days a week, they incurred pain to their backs, knees, hands, and feet. This coincides with a study done on farmworkers of the eastern United States that found that farmworkers suffered most from injuries and pain to the neck, shoulders, back and upper extremities due to the “repetitive, work-related overloading of selected muscle groups.”

Pesticides
• In the study by Human Rights Watch, children who were interviewed said they have come in contact with pesticides through the spraying of adjacent fields, being blown by the wind, working in fields that are still wet. Some reported being sprayed on directly.
• Compared to adults, children are at greater danger when pesticide exposure has occurred due to a greater surface to volume ratio when compared to adults which results in a greater pesticide dose and a slower metabolism of pesticide toxicants which causes pesticides to remain in their systems longer.
• Children also engage in more hand-to-mouth behaviors which increase their risk of ingesting pesticides.
• Almost no children interviewed by Human Rights Watch said they had received training about the dangers of pesticides, safety measures, or what to do in case of exposure.

Hazardous Tools and Machinery
• In 2009 there were 15,876 recorded injuries among youths under 20 years of age who lived, worked or visited a farm. The following is a chart that provides the breakdown of the type of injury youths sustained in agriculture. Fortunately, injury counts have been decreasing for over 10 years now.
### Type of Injury

<table>
<thead>
<tr>
<th>Type of Injury</th>
<th>2001</th>
<th>2004</th>
<th>2006</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bruise</td>
<td>3,237</td>
<td>1,896</td>
<td>2,631</td>
<td>1,668</td>
</tr>
<tr>
<td>Sprain/strain</td>
<td>3,158</td>
<td>3,313</td>
<td>3,563</td>
<td>1,771</td>
</tr>
<tr>
<td>Fracture</td>
<td>8,583</td>
<td>7,185</td>
<td>6,116</td>
<td>5,094</td>
</tr>
<tr>
<td>Cut</td>
<td>4,874</td>
<td>6,617</td>
<td>4,838</td>
<td>2,848</td>
</tr>
<tr>
<td>Multiple injuries</td>
<td>2,479</td>
<td>3,336</td>
<td>1,492</td>
<td>0</td>
</tr>
<tr>
<td>Other injuries</td>
<td>6,896</td>
<td>5,244</td>
<td>4,254</td>
<td>4,495</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>29,227</td>
<td>27,591</td>
<td>22,894</td>
<td>15,876</td>
</tr>
</tbody>
</table>

- In 2009, the most common types of injuries involved contact with objects, transportation and falls. The most common types of sources of injury were vehicles, structures/surfaces and people/plants/animals/minerals.
- Agriculture has the second highest fatality rate among young workers at 21.3 per 100,000 compared to 3.6 per 100,000 in other industries.
- Child workers’ relative inexperience increases their chances of accidents and injury and because they work alongside adults, they are expected to work hard, fast and despite injury.

### Education Deprivation

- A 2011 documentary, *The Harvest/La Cosecha*, follows the lives of three teenage farmworkers as they migrate to help increase their families’ income. These children typically migrate between May and November of every year which means that the school year ends earlier and starts later than non-migrating children.
- These migrating patterns cause interrupted school attendance and migrant students interviewed say they do miss exams, are frequently confused about school subjects and feel they need months to “catch up” on their education.
- A study that compared migrating and non-migrating students of south Texas reported that migrant students were more likely to miss or arrive late to school, sleep during class, study for fewer hours, sleep less and suffer from minor illnesses more frequently. They also drop out of high school at 4 times the national rate.
- According to results of the 2009 NAWS, the following is the status of farmworkers’ education:
  - The average level of completed education was 8th grade
  - 40 percent had completed grades 1 to 6
  - 17 percent completed grades 7 to 9
  - 28 percent had completed grades 10 to 12
  - 9 percent attained some form of higher education

### Child Labor Laws

- **Fair Labor Standards Act (FLSA) in Agriculture**
  - When compared to other working youth, there are different protections and guidelines that apply to those working in agriculture. The following are a list of laws that govern youth employment in agriculture and a comparison with other occupations under the Fair Labor Standards Act (FLSA), if applicable.
- At 10 and 11, local youths may hand harvest short-season crops outside school hours for no more than 8 weeks between June 1 and October 15 if their employers have obtained special waivers from the Secretary of Labor.  

- At age 12 and 13, minors may work outside of school hours with parental consent or on the farm where the parent or guardian is also employed.

- For those under age 12, they may be employed outside of school hours with parental consent on a farm where employees are exempt from Federal minimum wage.

- At age 14, minors can work outside of school hours in any agricultural occupation, except those deemed hazardous by the Secretary of Labor. The minimum age in other occupations is age 16.

- At age 16, minors can perform any farm job, including those declared hazardous by the Secretary of Labor, at any time, including school hours. (For a list of hazardous work, see page 4 in the FLSA: http://www.dol.gov/whd/regs/compliance/childlabor102.pdf). In other occupations, minors are not allowed to perform hazardous work until the age of 18.

- Minors working in agriculture can work an unlimited number of hours outside school hours. In other occupations, there are strict limits on the amount of time minors can work outside of usual school hours.

- Children who work in the fields are exempt from minimum wage provisions in certain cases. Children working in all other occupations are required to be paid minimum wage.

- Growers often pay farmworkers piece rate wages. This works well for stronger quicker workers, but hurts slower ones. This is especially true of children who are generally slower than adults. As a result, many children can make as little as $2 to $3 an hour.

- In some cases, children who are entitled to minimum wage earnings work alongside their parents but are not paid any wage. This is common when parents are paid on a piece-rate basis. Parents, because of their desperate need for higher wages, allow their young children to work with them so that they plant or harvest more crops and hence receive a higher rate of pay per hour worked. Where employers are aware that children are working in this way, they are required by law to pay the children for this work. However, often times these children are not paid at all.


3 Ibid.


8 International Labour Organizations: *Accelerating action against child labour – Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, 2010.*


14 Ibid.


16 Ibid.


18 Ibid.


22 Ibid.


28 Ibid.
32 Child Agricultural Injury Survey Results: National estimates of Injuries to All Youth (<20 year on all U.S. Farms by Nature of Injury, 2009. Centers for Disease Control and Prevention, NIOSH. Available online: http://www.cdc.gov/niosh/topics/childag/CAIS/injtables.html
33 Ibid.
34 Ibid.
37 The Harvest/ La Cosecha. Shine Global. 2011.